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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,357	02/27/2004	John Popovich	PERMLT.019C1	5148

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EXAMINER

TSO, LAURA K

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/789,357	Applicant(s) POPOVICH ET AL.	
	Examiner laura tso	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 01 March 2006.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 2, 4-9, 12-20, 22-27, 29-36, 39-47 and 66-109 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) 2, 4-9, 12-20, 22-36, 39-47, 66-90 and 101-109 is/are allowed.

6) ☒ Claim(s) 91 is/are rejected.

7) ☒ Claim(s) 92-100 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/3/06</u> .	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Drawings

The drawings to figure 16 were received on 3/1/06. These drawings are approved.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 91 is rejected under 35 U.S.C. 102(b) as being anticipated by Hochstein (US 6,045,240). Hochstein discloses an illumination apparatus comprising a substantially enclosed housing [figure 2] comprising a housing wall [42] and a light transmissive portion [46], a heat sink [38] having a mount portion [inside flange 60] which is disposed within the housing, a light module comprising a LED [28], a dielectric [26] having a first and second sides, a plurality of electrically conductive contacts on the first side of the dielectric [attached to leads 30,32], the contacts being configured to mount the LED so that the LED is electrically connected to the contacts and a heat conductive body [36] on the second side of the dielectric wherein the body is attached to the mount portion so that the heat from the LED flows through the dielectric to the heat conductive body and then to the heat sink via the mount.

Allowable Subject Matter

Claims 92-100 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 4-9, 12-20, 22-36, 39-47, 66-90 and 101-109 allowed. Prior art fails to show or suggest an illumination apparatus comprising a substantially enclosed housing comprising a housing wall and a light transmissive portion, a heat sink having a mount portion which is disposed within the housing, a light module comprising a LED, a dielectric having a first and second sides, a plurality of electrically conductive contacts on the first side of the dielectric, the contacts being configured to mount the LED so that the LED is electrically connected to the contacts and a heat conductive body on the second side of the dielectric wherein the body is attached to the mount portion so that the heat from the LED flows through the dielectric to the heat conductive body and then to the heat sink via the mount wherein 1) the heat conductive body has two opposing faces, the first face being connected to the dielectric, the second being connected to the heat sink mount portion, 2) wherein the apparatus comprises a plurality of lighting modules, or 3) the contacts thermally communicate with the dielectric through a thermal communication area between the contacts and the first side of the dielectric and the body comprises a first side connected to the second side of the dielectric and the second side connected to the mount portion and the thermal communication area between the second side of the body and the mount portion is greater than the thermal communication area between the contacts and the first side of the dielectric.

Conclusion

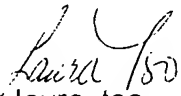
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to the Examiner at the below-listed number.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sandra O'Shea, can be reached on 571 272 2378.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 571 272 2800, Monday-Friday, 830am to 5:00pm, EST.


laura tso
Primary Examiner
Art Unit 2875